

**INTERSTATE  
ADOPTION  
REQUESTS**

The Michigan Department of Human Services (DHS) is primarily responsible for the adoption of Michigan children committed to the Michigan Children's Institute. The following interstate adoption procedures are designed to protect the rights of the child and are based upon the principle that adoption is a service to the child rather than the adoptive applicants.

**Requests to  
Local DHS  
Offices**

The following requests may be referred to DHS offices for adoptive home studies:

- A proposed adoptive placement of a foster child living in Michigan who is under court or state supervision outside of Michigan.
- A proposed adoptive placement with a relative in Michigan when the child is under court or state supervision outside of Michigan.
- A proposed adoptive placement of a special needs child as defined by Michigan if the child is under court or state supervision outside of Michigan.

**Requests to  
Private Child  
Placing  
Agencies**

The following requests may be referred to private child placing agencies:

- A proposed adoptive placement of a child who is not under court or state supervision outside of Michigan.
- A proposed adoptive placement of a child who is under court or state supervision outside of Michigan, but who is not a special needs child as defined by Michigan.
- Proposed foster placement which is considered pre-adoptive placement of a child who is not a ward of a court or the state.

An interstate referral and/or home study requested by a placement agency foster care provider, on behalf of DHS, requires DHS approval and signatures from the DHS purchase of service (POS) monitoring worker on the following interstate forms:

- DHS-4332, Interstate Compact Placement Request (100A).
- DHS-4333, Interstate Compact Report on Child's Placement Status (100B).
- DHS-4334, Financial/Medical Plan.
- DHS-4335, Interstate Compact on the Placement of Children Checklist.
- DHS-4336, Interstate Compact on the Placement of Children Placement Prescreening.
- DHS-3750, Sending State Expedited Home Study Request (101). To be included only with the Regulation 7 Expedited Home Study Request.

## **COORDINATION WITH STATE LAWS**

The laws of the state in which the adoption is to be finalized will generally govern which state's laws will prevail.

The following basic process must be followed in interstate adoptions. Until the interstate compact approval is given, the child must remain in the sending state. It is important to know what the sending state requires for placement of the child before the process can be completed. For example, some sending states may allow for the appointment of a guardian in their state to temporarily care for the child. Others may require that the child be placed in a voluntary foster home through a licensed child placing agency.

## **INTERSTATE ADOPTION PROCESS**

The local agency in the sending state where the child is located must always initiate the referral.

**Michigan  
Responsibilities  
as the Sending  
State**

Local agency workers may refer to the DHS-4335, ICPC Checklist, when preparing interstate referral packets.

All referral packets must be sent to the Michigan Interstate Compact Office in triplicate, and include the following:

- The DHS-4332, Interstate Compact Placement Request (100A).
- The DHS-4336, Interstate Compact on the Placement of Children Placement Prescreening.
- A cover letter which includes:
  - A summary of the child's current situation and the permanency plan for the child.
  - Reason this placement is sought versus a placement in Michigan.
  - Specific concerns to be evaluated by the receiving state.
  - The minimum standards for a parent or relative home study in Michigan. The procedures outlined in ADM 510, Adoptive Family Assessments, must be referenced and attached.
  - A request for a criminal history check for all adults living in the household. A central registry check must be requested unless the other state does not have a central registry.
  - Details of the potential placement's ability to provide for the child both financially and medically.
- Social History (child evaluation, family background, family history, medical reports, school reports, and psychological reports for the child).
- Current court order indicating the child's legal status and the agency having legal custody.

- Legal documents regarding the child's availability for adoption, parental consents, court orders terminating parental rights, and other pertinent legal documents.
- DHS-4334 Financial / Medical Plan.
- DHS-352 Initial Determination of Appropriate Foster Care Funding Source.
- Other pertinent information including birth certificate, Social Security number, and immunization records.
- Completed adoption home study if worker is requesting a Regulation 1 placement for relocation to another state; see ICM 130, Interstate Foster Care Procedures.

The Michigan Interstate Compact Office must:

- Review and forward the referral to the receiving state's Interstate Compact Office.
- Maintain regular contact with the receiving state to obtain home study status updates.
- Send notification of placement approval or denial, along with the completed home study, to the local agency.

The local agency must:

- Send the DHS-4333, Interstate Compact Report on Child's Placement Status (100B), to the Michigan Interstate Compact Office in triplicate. The DHS-4333 (100B) will initiate supervision and request progress reports from the other state.
- Upon receipt of the adoption home study, the worker must request MCI consent; see ADM 820, Michigan's Children's Institute Ward Adoption Consent Process. MCI consent must be received prior to adoptive placement.
- If the approved placement resource will not be used within six months of the approval date, the local agency must send the DHS-4333 (100B) to close the interstate case.

The Michigan Interstate Compact Office must forward the DHS-4333 (100B) to the receiving state's Interstate Compact Office to initiate supervision or close the interstate compact case.

**Michigan  
Responsibilities  
as the Receiving  
State**

The Michigan Interstate Compact Office must take the following actions:

- Log incoming cases to establish timeframes consistent with the Safe and Timely Interstate Placement of Foster Children Act of 2006.
- Notify the local agency contact and backup contact person via email with a brief summary of the new home study request to include:
  - Name, date of birth, gender and race of child.
  - Name, address and phone number of person(s) to be studied and relationship to child.
  - Critical information that may impact evaluation of the home; for example, the special needs of child.
- Send the referral packet to the local agency via interoffice mail.
- Initiate progress inquiries to the local agency at 20-, 40-, and 60- calendar day intervals and every 30 calendar days thereafter.

The local Michigan agency must:

- Verify whether the prospective adoptive family has a completed, up-to-date, and approved home study. The procedures in ADM 510, Adoptive Family Assessment, must be followed.
- Comply with the Safe and Timely Interstate Placement of Foster Children Act 2006 by ensuring all home studies are completed and returned to the Interstate Compact Office within 60 calendar days.
- Forward three copies of the adoptive family evaluation, which must include a recommendation regarding the appropriateness of the particular family as a match for the child.

- Forward a list of all documentation required to file the petition and PCA-320, Order Placing Child After Consent, if the adoption is to be finalized in Michigan; see ADM 920, Legal Documentation Requirements for Adoption, and ADM 930, Filing the Adoption Petition and Subsequent Orders.
- Send the home study and recommendation to the Michigan Interstate Compact Office in triplicate.
- If the adoption is to be finalized in Michigan, a copy of the signed PCA-320, Order Placing Child After Consent, must be forwarded to the Michigan Interstate Compact Office.
- Provide supervision and progress reports upon receipt of the DHS-4333 (100B). All supervisory reports must be sent to the Interstate Compact Office in triplicate.

The Michigan Interstate Compact Office must:

- Approve or deny the placement by signing the DHS-4332 (100A) based on recommendations of the local office or agency and receipt of PCA-320, Order Placing Child After Consent, if the adoption is to be finalized in Michigan.
- Forward the DHS-4332 (100A) along with the completed home study to the sending state.
- Forward the DHS-4333 (100B) to the local agency to notify date of child's placement, or to close the interstate case. If the child is placed, the DHS-4333 (100B) initiates supervision and progress reports.

## **RELOCATION**

See ICM 130, Interstate Foster Care Procedures, Regulation 1, for relocation to another state.

## **EXPEDITED PLACEMENT**

See ICM 130, Interstate Foster Care Procedures, Regulation 7, Expedited Placement Decision.

## **VISITATION**

See ICM 130, Interstate Foster Care Procedures, Regulation 9, Definition of a Visit.

**SUPERVISORY  
RESPONSIBILITIES**

See ICM 130, Interstate Foster Care Procedures, Regulation 11,  
Responsibilities of States to Supervise Children.